

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re REFCO, INC. SECURITIES LITIGATION

GEORGE L. MILLER, Chapter 7 Trustee for the  
Estate of Suffolk LLC,

Plaintiff,

-against-

ALLENE CHUNG  
ANDRÉ PEROLD  
CHRISTOPHER SUAN  
CHRISTOPHER WELCH  
CONNIE HSU  
DAVID CODY  
THE SUAN FAMILY IRREVOCABLE  
CHILDREN'S TRUST  
ROBERT HILL  
RONALD FARMER  
STEPHEN FREIDHEIM

Defendants.

07 MDL No. 1902 (JSR)

ECF FILED

ORAL ARGUMENT REQUESTED

09-cv-2866 (JSR)

09-cv-2872 (JSR)

09-cv-2874 (JSR)

09-cv-2882 (JSR)

09-cv-2883 (JSR)

09-cv-2884 (JSR)

09-cv-2887 (JSR)

09-cv-2888 (JSR)

09-cv-2930 (JSR)

09-cv-2933 (JSR)

09-cv-2935 (JSR)

**JOINDER IN LIMITED OBJECTION OF CREDIT SUISSE FIRST BOSTON NEXT  
FUND, LAB MORGAN CORPORATION, AND ML IBK POSITIONS, INC. TO THE  
REPORT AND RECOMMENDATION OF SPECIAL MASTER CAPRA ON THE  
MOTION TO DISMISS THE AMENDED COMPLAINT**

Defendants Allene Chung, André Perold, Christopher Suan, Christopher Welch, Connie Hsu, David Cody, the Suan Family Irrevocable Children's Trust, Robert Hill, Ronald Farmer, and Stephen Freidheim (collectively "Defendants") hereby join in the limited objection filed by Credit Suisse First Boston Next Fund, Lab Morgan Corporation, and ML IBK Positions, Inc. (the "Bank Defendants"), dated September 7, 2010, to the Report and Recommendation of Special

Master Capra on the Bank Defendants' Motion to Dismiss the Amended Complaint (the "Limited Objection").

To avoid burdening the Court with duplicative briefing and to conserve attorneys' fees, Defendants herein fully adopt and incorporate the Bank Defendants' Limited Objection. The arguments contained within the Bank Defendants' Limited Objection are fully applicable to Plaintiff's claims against Defendants and apply with equal force.

For the reasons stated in the Limited Objection this Court should grant Defendants' Motions to Dismiss the Amended Complaint and dismiss Plaintiff's Amended Complaint in its entirety on all grounds and with prejudice.

Dated: New York, New York  
September 7, 2010

Respectfully submitted,

MARKOWITZ & CHATTORAJ LLP

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